



JOHN JAY COLLEGE  
THE CITY UNIVERSITY OF NEW YORK  
OF CRIMINAL JUSTICE

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Benjamin Civiletti, Chairman  
Maryland Commission on the Death Penalty  
C/O Rachael Wyckoff <Rachael@goccp-state-md.org>

Re: Commentary on the death penalty

Dear Chairman Civiletti and Commission Members,

I am Matthew B. Johnson, Ph.D., an Associate Professor of Psychology at John Jay College of Criminal Justice and a member of the Doctoral Faculty at City University of New York. I have a faculty appointment in both Psychology and Criminal Justice. I hold a Bachelor's Degree from Rutgers University, a Master's Degree from Montclair State University, and a Ph.D. from Adelphi University. In addition to being a university professor, I am a licensed psychologist.

Several years ago I began to conduct research on the impact of state executions on persons other than the condemned inmate. It was my impression, from reports in the press and discussions with colleagues, that there are a host of parties who are affected directly by the death penalty and state executions. Yet many of these secondary effects of state executions have not received much attention.

I began to review the available literature which includes systematic studies as well as retrospective and anecdotal reports. I have provided a summary below. It should be noted that there is not a large body of research on this topic. These questions have not been provided the attention they deserve. Also policies limiting the press and public access to state executions has no doubt contributed to the limited systematic investigation and research.

In two different studies Barnett (1) and Freinkel et al (2) reported the emergence of anxiety symptoms among journalists who had recently witnessed an execution. Barnett's research group conducted interviews with reporters and Freinkel et al utilized questionnaires. Both research groups identified short term distress symptoms and Freinkel et al also found reports of dissociative symptoms. Neither research group found evidence of long term psychological impairment. Osofsky & Osofsky (3) examined corrections officers who were members of the Louisiana Execution Team. There was no evidence of depression but the authors noted various mechanisms used to cope with unpleasant reactions. The report by Payne et al (4) pointed out that the debate on the death penalty, "makes no reference to the effect of a death sentence on the people who actually ... carry it out", noting the "... lack of concern for corrections professionals who

must actually put an inmate to death". Payne et al described the multi-year relationship officers often have with the condemned before sending them to their death. Payne et al as well as Vasques (5) described studies designed to provide mental health services to members of execution teams in Utah and California, respectively. There were no major symptoms or impairments identified. However, each of the five studies above evaluated reactions to single executions and there is concern that effects associated with multiple executions may be more pronounced.

Retrospective and anecdotal accounts of executions also provide a perspective relevant to the question of secondary adverse effects. While anecdotes can be dismissed as unrepresentative, in this area anecdotal accounts may provide the more clear picture of chronic effects of exposure to state executions. McCann (6) and Kozinski (7) discussed reactive stress reactions associated with their respective roles as a prosecutor and judge in capital cases. Pickett (8) provided an autobiographical account of his work as a prison chaplain who provided counseling and pastoral services in over 95 executions in Texas. In addition to his own anxiety, fear, exhaustion, and related somatic complaints, Pickett witnessed the adverse effects of executions on prison employees, inmates, and loved ones of both the condemned and victim. Regarding the traumatic effects on family members of the condemned and the victim also see Vandiver's research (9). Pickett arrived at the conclusion that, "all the death penalty does is create another set of victims".

Cabana (10) and Elliot (11) published memoirs of their experiences as executioners. Because of the chronic exposure to executions those serving as executioners are especially vulnerable. Cabana served as warden for the Mississippi State Penitentiary from 1984 to 1989. His experiences led him to become an avid opponent of the death penalty as he suffered prolonged psychological and physical debility from his direct involvement in executions. Elliot conducted executions in six states and over the course of his career killed close to four hundred condemned inmates. Elliot also became a death penalty opponent and stated his opposition clearly in his memoir. Lifton and Mitchell (12) introduced the term "executioner stress" to describe symptoms (nightmares, depression, and lack of emotional feeling) reported by former execution team members. Gonnerman (13) reported on the lives of four former New York State executioners (Hulbert, Elliot, Francel, and Hover). As noted above Elliot became a death penalty opponent. Hulbert, who executed 140 people, died of a self inflicted gunshot at age 59. Hover's suffered physical ailments during his period as an executioner and his family reported he suffered from severe migraine headaches. Hover also ended his own life.

Further study of secondary trauma associated with state executions is clearly needed. Press and public access to the entire execution process is essential to insure that the full extent of the human costs are observed, recognized and documented. The available findings indicate there are detrimental secondary effects that are noteworthy and relevant to policy. Pickett's comment that executions create another set of victims warrants attention within the context of the questions and debates surrounding state executions.



## Notes:

1. Barnett, C. (1995) Covering executions. *American Journalism Review*, 17, 27-39.
2. Freinkel, A., Koopman, C., & Spiegel, D. (1994) Dissociative symptoms in media eyewitnesses of an execution. *American Journal of Psychiatry*, 151 (9), 1335-1339.
3. Osofsky, M.J. & Osofsky, H.J. (2002) The psychological experience of security officers who work with executions. *Psychiatry*, 65 (4) 358-370.
4. Payne, I.R., Pray, R.T., Damis, L.F. (1990) Utah stress education program helps staff deal with executions. *Corrections Today*, 52 (4) 160-168.
5. Vasques, D.B. (1993) Trauma treatment: Helping prison staff handle the stress of an execution. *Corrections Today*, 55 (4) 70-73.
6. McCann, E.M. (1996) Opposing capital punishment: a prosecutor's perspective. *Marquette Law Review*, 79, 649-706.
7. Kozinski, A. Personal History: Tinkering with Death. *The New Yorker*, 2/10/97, 48-53.
8. Pickett, C. (2002) *Within These Walls*. New York, NY: St. Martins Press.
9. Vandiver, M. (2003) The impact of the death penalty on the families of homicide victims and of the condemned prisoners. In J.R. Acker, R.M. Bohm, & C.S. Lanier (Eds), *America's Experiment with Capital Punishment: Reflections on the Past, Present, and Future of the Ultimate Penal Sanction*. (2nd ed, pp.613-645). Durham, NC: Carolina Academic Press.
10. Cabana, D.A. (1996) *Death at Midnight: Confession of an Executioner*. Boston, Mass: Northeastern University Press.
11. Elliot, R.G. (1940) *Agent of Death: The Memoirs of an Executioner*. New York, NY: Dutton & Co.
12. Lifton, R. J. & Mitchell, G. (2000) *Who Owns Death?* New York, NY: HarperCollins Publishers, Inc.
13. Gonnerman, J. (2005) The Last Executioner. *The Village Voice*, 1/24/05.

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